IN THE CLAIMS

Please amend the claims as follows:

1. (Currently Amended): A recording system in which a host device and a recording drive are connected via a bus,

said host device comprising

determination means for determining whether input content is to be protected,

said recording drive comprising

recording means for recording user data interspersed with user control data in a unit of physical cluster on a recording medium,

wherein the content is recorded in the user data, and protection information is recorded in the user control data, the protection information indicating whether the content is to be protected when being transmitted on the bus based on a determination result obtained by said determination means, and

said recording drive further comprises first encryption means for encrypting the content using an ID and a recording medium key of the recording medium when said determination means determines that the content is to be protected.

2. (Canceled)

3. (Previously Presented) A recording system according to claim 1, wherein the unit is 2048 bytes.

4. (Canceled).

5. (Currently Amended) A recording system according to claim 1, wherein said ~~recording drive further comprises~~ first encryption means <u>encrypts</u> ~~for encrypting~~ the content by using at least a recording medium key of the recording medium when said determination means determines that the content is not to be protected.

6. (Previously Presented) A recording system according to claim 1, wherein each of said host device and said recording drive further comprises authentication means for authenticating each other.

7. (Currently Amended) A recording system according to claim 1, wherein:

said host device further comprises <u>second</u> ~~first~~ encryption means for encrypting the content before being sent to the bus when said determination means determines that the content is to be protected; and

said ~~recording drive further comprises second~~ <u>first</u> encryption means <u>encrypts</u> ~~for encrypting~~ the content before being recorded by said recording means when said determination means determines that the content is to be protected.

8. (Currently Amended) A recording system according to claim 7, wherein said <u>second</u> ~~first~~ encryption means prohibits the content from being encrypted before being sent to the bus when said determination means determines that the content is not to be protected.

9. (Currently Amended): A recording method for a recording system in which a host device and a recording drive are connected via a bus, comprising:

determining, at said host device, whether input content is to be protected; ~~and~~

recording user data interspersed with user control data in a unit of physical cluster on a recording medium, wherein the content is recorded in the user data, and protection information is recorded in the user control data, the protection information indicating whether the content is to be protected when being transmitted on the bus based on a determination result; and

encrypting, at said recording drive, the content by using an ID and a recording medium key of the recording medium when it is determined that the content is to be protected.

10-39. (Canceled)

40. (Currently Amended): A recording system in which a host device and a recording drive are connected via a bus,

said host device comprising

a processor configured to determine whether input content is to be protected,

said recording drive comprising:

a recording unit configured to record user data interspersed with user control data in a unit of physical cluster on a recording medium,

wherein the content is recorded in the user data, and protection information is recorded in the user control data, the protection information indicating whether the content is to be protected when being transmitted on the bus based on a determination result obtained by said processor determination means, and

said recording drive further comprises first encryption unit configured to encrypt the content by using an ID and a recording medium key of the recording medium when said processor determines that the content is to be protected.

41. (New) The recording system according to claim 1, wherein the physical cluster is grouped into 496 recording frames having 1932 channel bits.

42. (New) The recording system according to claim 41, wherein 20 channel bits of a first data set in the physical cluster are set as a synchronizing bit group.

43. (New) The recording system according to claim 1, wherein the physical cluster comprises 42 sets, each set including 45 channel bit data and one channel bit control data.

44. (New) The recording method of claim 9, wherein the unit is 2048 bytes.

45. (New) The recording method of claim 9, wherein the physical cluster is grouped into 496 recording frames having 1932 channel bits.

46. (New) The recording method of claim 45, wherein 20 channel bits of a first data set in the physical cluster are set as a synchronizing bit group.

47. (New) The recording method of claim 9, wherein the physical cluster comprises 42 sets, each set including 45 channel bit data and one channel bit control data.

48. (New) The recording system of claim 40, wherein the unit is 2048 bytes.

49. (New) The recording system of claim 40, wherein the physical cluster is grouped into 496 recording frames having 1932 channel bits.

50. (New) The recording system of claim 49, wherein 20 channel bits of a first data

set in the physical cluster are set as a synchronizing bit group.

51. (New) The recording system of claim 40, wherein the physical cluster comprises

42 sets, each set including 45 channel bit data and one channel bit control data.